

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

SHAWN SHUMATE, CV. 07-1175-KI

Plaintiff, ORDER  
v.

DON MILLS, et al.,  
Defendants.

KING, Judge

Plaintiff has filed a document (#12) captioned "Complaint on Defendants Attorney" wherein he complains that defense counsel has sent legal mail to him without stamping the envelope "Legal Mail". As a result, plaintiff's legal mail allegedly has been opened and inspected by prison officials. I construe plaintiff's document as a motion for preliminary injunction to require defendants to stamp their mail to plaintiff with the words "Legal Mail".

The motion is denied on the basis that plaintiff failed to include a certificate of service demonstrating that the motion was served on opposing counsel, or make a showing as to why service of

the motion should not be required. See Fed. R. Civ. P. 65(a)(1) & (b).

**CONCLUSION**

Based on the foregoing, plaintiff's motion for preliminary injunction (#12) is DENIED.

IT IS SO ORDERED.

DATED this 8<sup>th</sup> day of February, 2008.

/s/ Garr M. King  
Garr M. King  
United States District Judge